



The Honorable Burrell Ellis
Chief Executive Officer

**DeKalb County
Department of Planning & Sustainability
Zoning Board of Appeals**



**Manuel J. Maloof Administration Center Auditorium
1300 Commerce Drive Decatur, GA 30030**

BOA Meeting Date: Wednesday, July 11, 2012 at 1:00 P.M.

AGENDA

CALL MEETING TO ORDER

NOTE: Applicant or appointed representative should be present. If unable to attend, please contact the Planning Department at (404) 371-2155

CALL MEETING TO ORDER

**DETERMINATION OF A QUORUM
PREAMBLE AS TO PURPOSE AND PROCEDURES OF THE BOARD OF APPEALS
INTRODUCTION OF MEMBERS, STAFF AND COUNTY REPRESENTATIVES**

MEMBERS:

REBECCA CHASE WILLIAMS, DISTRICT 1

BILL DRAPER, DISTRICT 2

DARRYL K. JENNINGS, SR., DISTRICT 3

NADINE RIVERS-JOHNSON, DISTRICT 4

JEREMY CLARK, DISTRICT 5

LIZ BEYER, DISTRICT 6

TYRONE MAGBY, DISTRICT 7

(A-Absent; EXA-Excused Absence; U-Unexcused Absence; P-Present; R-Resigned; TE-Term Expired)

QUORUM DETERMINATION: yes no
COUNTY REPRESENTATIVE: yes no

DEFERRED FROM MAY 9, 2012 PUBLIC HEARING

D-1 Application No: A-12-17754 Parcel ID: 15-174-08-023

Commission District: 3 Super District: 6

Applicant: Brian Trow
6106 Barfield Road
Atlanta, GEORGIA 30328

Owner: Second Avenue Development Inc; Southern Abodes LLC

Project Name: 1860 Braeburn Circle

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the north side of Braeburn Circle, about 380 feet west of the terminus of Braeburn Circle (1860 Braeburn Circle).

Request: **Variance request from the DeKalb County Zoning Ordinance, to**
(1) Waive lot merger ordinance (Section 27-938.b); and
(2) Reduce lot width from minimum of seventy-five (75) feet to fifty (50) feet
(Section 27-186.a), to divide one lot and develop two separate houses, relating
to the R-75 zoning district.

DEFERRED FROM APRIL 11, 2012 AND MAY 9, 2012 AND MARCH 14, 2012 AND JUNE 13, 2012 PUBLIC HEARING

D-2 Application No: A-12-17630 Parcel ID: 18-199-03-020

Commission District: 2 Super District: 6

Applicant: Mark Baker
1960 Tall Tree Drive
Atlanta, GEORGIA 30324

Owner: Mark Baker

Project Name: 1960 Tall Tree Drive

Zoning: R-85 (S-Fam Res. Min Lot 12000 Sq.Ft);

Location The property is located north west corner of Tall Tree Drive and Roxboro Drive (at 1960 Tall Tree Drive)

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Allow construction of an accessory structure (swimming pool) in the front yard on a corner lot (Section 27-731.c); (2) Reduce the rear yard setback from thirty-six (36) feet (pursuant to AV-05005) to thirty-five point eight (35.8) feet to bring the house into compliance with the zoning ordinance (Section 27-166.e); and (3) Allow a fence higher than four (4) feet in the front yard (Section 27-878.a); to enclose the swimming pool, relating to the R-85 zoning district.**

DEFERRED FROM JUNE 13, 2012 PUBLIC HEARING

D-3 Application No: A-12-17852 Parcel ID: 16-054-01-002

Commission District: 5 Super District: 7

Applicant: Robert And Betty Wilson
5846 Rocksprings Road
Lithonia, GEORGIA 30038

Owner: Robert Wilson; Betty Wilson

Project Name: 5846 Rock Springs Road

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the north side of Rock Springs Road, about 808 feet east of Regency Park Drive.

Request: **Application to harvest timber, pursuant to Chapter 14-39(n) of the DeKalb County Tree Ordinance, relating to the R-100 zoning district.**

DEFERRED FROM JUNE 13, 2012 PUBLIC HEARING

D-4 Application No: A-12-17861 Parcel ID: 18-293-02-013

Commission District: 1 Super District: 7

Applicant: Jay Patel
3484 Chamblee Tucker Road
Chamblee, GEORGIA 30341

Owner: Tokdar Properties Inc

Project Name: 3484 Chamblee Tucker Road

Zoning: C-1 (Local Commercial District);

Location The property is located at the northeast corner of Chamblee Tucker Road and Stonecrest Court (at 3484 Chamblee Tucker Road).

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the front yard setback from seventy-five (75) feet to thirty-six (36) feet (Section 27-581.c.a.1); (2) Reduce the street side yard setback from fifty (50) to forty-five (45) feet (Section 27-581c.1.b); and (3) Reduce transitional buffer from fifty (50) feet to eight (8) feet (Section 27-582), relating to the C-1 zoning district.**

DEFERRED FROM JUNE 13, 2012 PUBLIC HEARING

D-5 Application No: A-12-17862 Parcel ID: 18-242-03-003

Commission District: 2 Super District: 6

Applicant: Scott And Janna Ducich
1589 Trentwood Place, N.E.
Atlanta, GEORGIA 30319

Owner: Scott Ducich

Project Name: 1589 Trentwood Place

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the south side of Trentwood Place, about 290 feet west of Ashford Road (at 1589 Trentwood Place)

Request: **Variance request from Section 27-189 of the DeKalb County Zoning Ordinance, to increase lot coverage from 35% to 48.63%, to construct a swimming pool, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-1 Application No: A-12-17933 Parcel ID: 18-149-04-021

Commission District: 2 Super District: 6

Applicant: Seyyed Anvaripour
6695 Riverside Drive
Atlanta, GEORGIA 30328

Owner: W Stowe Jr; W Stowe

Project Name: 2764 Lavista Road

Zoning: C-1 (Local Commercial District);

Location The property is located on the northwest corner of Lavista Road and Oak Grove Road

Request: **Variance Requests from the DeKalb County Zoning Ordinance, to:**
(1) Reduce the front yard setback from Lavista Road from 75 feet to 30 feet (27-581.c.1.a);
(2) Reduce the side yard setback from Oak Grove Road from 50 feet to 15 feet (Section 27-581.c.1.b);
(3) Reduce the rear yard setback from 30 feet to two feet (Section 27-581.c.3);
(4) Reduce the interior side yard setback and waive landscaping requirement from 20 feet to two feet (Section 27-581.c.2); and
(5) Exceed 80% lot coverage (Section 27-586), to construct a hand car wash and detailing business, relating to the C-1 zoning district.

NEW HEARING ITEMS

N-2 Application No: A-12-17977 Parcel ID: 18-156-04-001

Commission District: 2 Super District: 6

Applicant: Laura Mayers
P.O. Box 420492
Atlanta, GEORGIA 30342

Owner: M & M Interests Llc; 127 Investments Llc

Project Name: 2071 N. Druid Hills Road

Zoning: M (Light Industrial);

Location The property is located at the southeast corner of North Druid Hills Road and West Druid Hills Drive (at 2071 N. Druid Hills Road).

Request: **Variances from the DeKalb County Zoning Ordinance, to:**
(1) Reduce the front yard setback from 75 feet to 49 feet from North Druid Hills Road feet and to 67 feet from West Druid Hills Drive (Section 27-621.c.1.a);
(2) Increase lot coverage from 80% to 84.7% (existing lot coverage is 90.2%) (Section 27-623);
(3) Reduce parking from 38 to 15 parking spaces (Section 27-625q); and
(4) Reduce minimum lot area from 30,000 square feet to 25,835 square feet (Section 27-621.b), to build a McDonald's Restaurant and bring the lot into compliance with the Zoning Ordinance, relating to the M zoning district.

NEW HEARING ITEMS

N-3 Application No: A-12-17979 Parcel ID: 15-017-02-001

Commission District: 5 Super District: 6

Applicant: Brent Taylor
725 Lawton Road
Charlotte, NORTH CAROLINA 28216-3438

Owner: Bridge Terminal Transport

Project Name: 4135 Old McDonough Road

Zoning: M (Light Industrial);

Location The property is located at the southwest corner of Old McDonough Road and Lancaster Road

Request: **Variance request from Section 27-787(a) of the DeKalb County Zoning Ordinance to increase the height of security fencing from eight to ten feet, relating to the M zoning district.**

NEW HEARING ITEMS

N-4 Application No: A-12-17984 Parcel ID: 18-275-12-021

Commission District: 1 Super District: 6

Applicant: Amy James
1309 Ragley Hall Road
Atlanta, GEORGIA 30319-2515

Owner: Amy James

Project Name: 3246 Mae Avenue

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the south side of Mae Avenue, about 175 feet west of Osborne Road.

Request: **Variance request from Section 27-189 of the DeKalb County Zoning Ordinance to increase lot coverage from 35% to 49%, to construct a new house, relating to the R-75 zoning district.**

NEW HEARING ITEMS

N-5 Application No: A-12-17985 Parcel ID: 18-111-03-003

Commission District: 2 Super District: 6

Applicant: J.P.Morgan Chase Bank, N.A.
970 Denmeade Walk
Marietta, GEORGIA 30064

Owner: Toco Hill Inc; Station F

Project Name: 2845 N. Druid Hills Road

Zoning: C-1 (Local Commercial District);

Location The property is located at the southwest corner of Lavista Road and N. Druid Hills Road in the Toco Hills Shopping Center

Request: **Variance request from Section 27-581 (c.1.a) of the DeKalb County Zoning Ordinance to reduce the front yard setback from 75 to 55 feet, to build a bank branch in the Toco Hills Shopping Center, relating to the C-1 zoning district.**

NEW HEARING ITEMS

N-6 Application No: A-12-17986 Parcel ID: 16-037-02-010

Commission District: 5 Super District: 7

Applicant: Towercom V, Llc
2870 Peachtree Road Suite 839
Atlanta, GEORGIA 30305

Owner: Dodson Sisters Llc

Project Name: 1708 Panola Road

Zoning: R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

Location The property is located on the east side of Panola Road, about 102 feet south of Winmire Lane.

Request: **Variance requests from Section 27-779(c.1.a&b) of the DeKalb County Zoning Ordinance to reduce the setback from 200 feet to 106 feet from the north property line, 102 feet from the east property line, and 130 feet from the south property line to build a 195 foot tall Telecommunications Tower, related to the O-I zoning district.**

NEW HEARING ITEMS

N-7 Application No: A-12-17987 Parcel ID: 18-275-07-054, 18-275-07-055

Commission District: 1 Super District: 6

Applicant: John Evans
10405 Old Alabama Connector Road Suite 201
Alpharetta, GEORGIA 30022

Owner: Housing Development

Project Name: 3142 & 3146 Lynwood Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the south side of Lynwood Drive, approximately 306 feet west of Silver Hill Drive.

Request: **Variance requests from the DeKalb County Zoning Ordinance, to:**
(1) Reduce the lot width from 75 feet to 50 feet (Section 27-186a);
(2) Reduce the minimum lot area from 10,000 square feet to 6,563.967 square feet (3146 Lynwood Drive) and to 7,340.112 square feet (3142 Lynwood Drive) (Section 27-186b); and
(3) Waive the lot merger requirement (Section 27-938.b & c), to reconfigure two lots to build two new homes, relating to the R-75 zoning district.

NEW HEARING ITEMS

N-8 Application No: A-12-17988 Parcel ID: 18-238-12-005

Commission District: 2 Super District: 6

Applicant: Warren Sirzyk
P.O. Box 720357
Atlanta, GA 30358

Owner: Renaissance Development Corp.

Project Name: 1396 Cartecay Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located at the north east corner of Cartecay Drive and Ellijay Drive

Request: **Variances from the DeKalb County Zoning Ordinance, to:**
(1) Reduce the rear yard setback from 40 feet to 20 feet from the north property line (Section 27-186.e); and
(2) Reduce the average front yard setback from the west property line (Ellijay Drive) by 10% from 35.4 feet to 31.86 feet (Section 27-788.a), to build a new house, relating to the R-75 zoning district.

NEW HEARING ITEMS

N-9 Application No: A-12-17990 Parcel ID: 18-155-03-012

Commission District: 2 Super District: 6

Applicant: Duke Realty
2821 Buford Hwy
Atlanta, GEORGIA 30329

Owner: Duke Realty Lp; Druid Chase Limited; Parthnership; Atlanta Property Group

Project Name: West Druid Hills Drive At Buford Highway

Zoning: M (Light Industrial);

Location The property is located on the south side of Buford Highway, about 1,142 feet west of N. Druid Hills Road.

Request: **Variance request from the DeKalb County Sign Ordinance, to:**
(1) Allow a 20 feet tall ground sign at an entrance (Section 21-20); and
(2) Allow a ground sign not to be located between the facade of a building and the street which provides direct ingress and egress to the lot, to allow a ground sign to be placed in the median of a private street, relating to the M zoning district.
